



2050 VENIA MINOR ROAD
P.O. BOX 86
ST. PAUL ISLAND, ALASKA 99660

November 10, 2014

James Balsiger
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802

Re: *Aleut Community of St. Paul Island Petition for Rule Change*

Dear Mr. Balsiger,

In light of the public comments that the National Marine Fisheries Service (NMFS) received in response to the notice of receipt of petition that was published in the Federal Register (77 FR 41168; July 12, 2012), the Aleut Community of St. Paul Island (ACSPI) revised its request and would like NMFS to proceed as described below.

The ACSPI Tribal Council approved Resolution 2015-04, a resolution to NMFS amending Resolution 2009-57, approving proposed framework for northern fur seal subadult male and young of the year harvest/hunts. The ACSPI amends its prior request and framework for harvest/hunt options and requests NMFS modify the northern fur seal harvest regulations to allow:

- (1) Take of up to 2,000 male fur seals annually, of which no more than 1% may be composed of incidental take of female fur seals;
- (2) Take by hunting with firearms, juvenile male fur seals annually from January 1 to May 31;
- (3) Take by harvesting, pups and juvenile male fur seals annually from June 23 to December 31.

Provided herein is information needed for NMFS to proceed with developing a proposed rule to change the regulations.

The ACSPI is asking to take up to 2,000 male fur seals (pups and juveniles) annually. Pup is defined as a fur seal in the first year of its life, and juvenile is defined as a fur seal that is too young to mate or have pups (up to seven years old). The upper harvest range of 2,000 animals that has been in place for a number of years will be retained. The ACSPI requests to change regulations that require the harvest to be suspended when the lower end of the range (1,645 animals) is reached. If the lower harvest range is reached, the ACSPI will inform

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NMFS and continue taking fur seals until subsistence needs are satisfied, up to the upper range.

The proposed use of firearms to hunt juvenile males from January 1 to May 31 will not increase the rate of accidental harvest of females since female fur seals do not return to the island until mid-June. Additionally, all harvested fur seals (pups and juveniles) will be sexed from June 23 to December 31. When 20 females have been accidentally killed, all hunting/harvesting will be stopped for the year.

The ACSPI Ecosystem Conservation Office (ECO) has reliable harvest monitoring programs in place for fur seals and sea lions under the ACSPI's co-management agreement with NMFS. ECO monitors the subsistence hunting of Steller sea lions on St. Paul Island using a real-time harvest monitoring method. The real-time harvest monitoring method established by ECO under its Tanam Amgignaa (Island Sentinel) Program allows for the collection of local harvest data within a 12 to 48 hour period through the establishment of a multitude of communication methods ranging from voluntary participation/reporting to required reporting of local harvests via a tribal ordinance, to active and persistent communication with hunters by ECO personnel. In the fall of 2000, ECO required all hunters to report every retrieved and struck-and-lost sea lion within 24 hours. During the 2004 season, hunters were also asked to provide additional information about the date and location of the hunt and the sex and estimated age of the hunted animal, if known. ECO personnel communicate with hunters on a regular basis during the hunting season.

The combination of the self-reporting requirement, field monitoring, and communication with hunters has led to a high level of reporting of sea lions taken on St. Paul Island, whether retrieved or struck-and-lost. Hunting monitoring data is recorded in a standardized format and entered into a database from which summary information is provided to NMFS in a spreadsheet format. The Island Sentinels collect and record the following data: 1) dates, times and locations of hunts; 2) retrieval and struck and loss dates, times, and locations; environmental conditions; 3) number, sex and age class of sea lions hunted; 5) any tissue samples that are collected; and 6) any other unusual conditions related to the harvest. Since 2001 the ACSPI has compiled and prepared harvest summary reports for NMFS, an important element of the co-management agreement. ECO will implement the real-time harvest monitoring method described above during the fur seal hunting season from January 1 to May 31.

ECO also monitors the subsistence harvest of subadult male fur seals using the real-time harvest monitoring method. Since 2001 ECO has monitored and performed the humane observer functions for the subsistence fur seal harvest, and has compiled and prepared harvest summary reports (Melovidov et al., 2014; Lestenkof et al., 2013; Lestenkof et al., 2012; Lestenkof et al., 2011; Zavadil et al., 2011; Zavadil, 2010; Zavadil, 2008; Lestenkof and Zavadil, 2007; Lestenkof and Zavadil, 2006; Lestenkof et al., 2006; Malavansky et al., 2004; Zavadil and Lestenkof, 2003; Lestenkof and Zavadil, 2002; and Lestenkof and Zavadil, 2001) for NMFS – an important element of the co-management agreement. ECO monitors and records the number of fur seals harvested and the sex and age class of harvested fur seals. Harvest monitoring data is recorded in a standardized format and entered into a database from

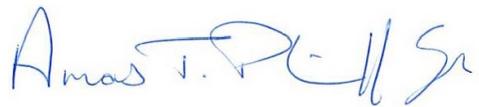
which summary information is provided to NMFS. ECO personnel assess, monitor and record the following factors during the harvest season: 1) dates, times and locations of harvests, 2) number and sex of fur seals harvested, 3) methods of gathering and herding of fur seals and harvesting period, 4) environmental conditions, 5) deep body core temperatures of fur seals and cases of hyperthermia, 6) occurrence of male fur seals greater than 124.5 cm in length, 7) occurrence of flipper-tagged fur seals, 8) number of fur seals entangled in marine debris and the number of seals disentangled, 9) health status of fur seals and oil contamination of pelts, 10) incidence of by-products and waste during the harvest process, and 11) research conducted during the harvest. ECO will implement the real-time harvest monitoring method described above during the pup and juvenile male harvest season from June 23 to December 31.

The ACSPI and ECO have developed long-standing relationships with hunters (fur seal, sea lion and reindeer) through the establishment of the real-time harvest monitoring method, the multitude of communication methods, and the required reporting requirements. ECO received co-management funding for FY2014 to develop a hunter education program for adults and youth. ECO personnel will recruit hunters to teach/help with putting together a short video on traditional and responsible hunting practices, radio piece(s) with students, and develop a curriculum on traditional hunting practices. Hunter education will ensure hunting (of all animals) is humane and non-wasteful. Finally, tribal ordinances will be put in place for hunting juvenile fur seals and for the pup harvest to ensure that hunting/harvesting of fur seals is humane and non-wasteful.

Hunting juvenile fur seals with firearms from January 1 to May 31 will not cause unnecessary disturbance to the rookeries or hauling grounds since hunting will end before the majority of animals return to the island to breed, and before rookeries close to human access. Take by harvesting, pups and juvenile male fur seals from June 23 to December 31, will not cause a greater level of disturbance than occurs under the current harvest method. Pups and juvenile males will continue to be rounded up from hauling grounds.

Thank you for your consideration. Please feel free to contact me at any time with any follow-up questions. We hope that NMFS can now proceed with our petition.

Sincerely,

A handwritten signature in blue ink that reads "Amos T. Philemonoff, Sr." The signature is written in a cursive style with a large initial 'A' and 'S'.

Amos T. Philemonoff, Sr.
President, Aleut Community of St. Paul Island

Enclosure



2050 VENIA MINOR ROAD
PO BOX 86
ST. PAUL ISLAND, ALASKA 99660

President
Amos Philemonoff, Sr.
Vice-President
Thomas Bourdukofsky
Secretary/Treasurer
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Gregory Frantz, Sr.
A. Paul Lestnikof
Myron Melovidov
Robert Melovidov, Sr.
Elder Advisors
Cand Melovidov
Alexander Galinin

ST. PAUL ISLAND TRIBAL COUNCIL

2015 – 04

A Resolution to National Marine Fisheries Service Amending Resolution 2009-57, Approving Proposed Framework for Northern Fur Seal Subadult Male and Young of the Year Harvest/Hunts

WHEREAS, the Aleut Community of St. Paul Island, is a federally recognized tribe of Alaskan Natives, and;

WHEREAS, the Tribal Government of St. Paul is the representative government for the Aleut Community of St. Paul Island, and;

WHEREAS, the Tribal Council is the legislative body for the Tribal Government of St. Paul; and

WHEREAS, the Tribal Government, through the Tribal Council, is determined to lead efforts to ensure and strengthen political sovereignty, economic self-sufficiency, continued cultural practices, tribal self-determination and self-governance, and the overall health, safety, and welfare of Tribal Members; and

WHEREAS, on February 17, 2007, the Tribal Council submitted Resolution 2007-09, requesting the National Marine Fisheries Service (NMFS) for a commitment to work with the Tribal Government on changing the Northern Fur Seal harvest regulations, or alternatively issue a moratorium on the regulations;

WHEREAS, on January 15, 2009, the Tribal Council formed the Tribal Council Ad-Hoc Committee on Fur Seals for the purpose of revising the current fur seal harvest management plan, develop an addendum to the plan, develop tribal ordinances to enforce the plan, and develop a framework for proposed changes to the Federal Register for the fur seal harvest;

WHEREAS, on September 23, 2009, the framework developed by the Ad-Hoc Committee was approved by the Tribal Council through Resolution 2009-57; and

WHEREAS, on July 12, 2012, NMFS announced in the Federal Register the receipt of a petition for rulemaking to revise the regulations governing the subsistence of taking of northern fur seals on St. Paul Island and requested public comments;

2015-04

WHEREAS, NMFS received public comments in response to the Federal Register notice and after several meetings and correspondence between the Tribal Government and NMFS, most recently a meeting on August 14, 2014, the Tribal Government and NMFS were able to determine a request by the Tribal Government that would satisfy the petition comments as well as the Tribal Government; and

WHEREAS, the Tribal Government amends its prior request and framework for harvest/hunt options and requests NMFS modify the northern fur seal harvest regulations to allow:

(1) Take of up to 2,000 male fur seals annually, of which no more than 1% may be composed of incidental take of female fur seals;

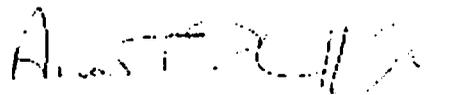
(2) Take by hunting with firearms, juvenile male fur seals annually from January 1 to May 31;

(3) Take by harvesting, pups and juvenile male fur seals annually from June 23 to December 31; and

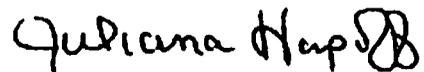
NOW THEREFORE BE IT RESOLVED, the Aleut Community of St. Paul Island, through the Tribal Council, requests the National Marine Fisheries Service modify the Northern Fur Seal subsistence regulations to allow for the harvest/hunt of fur seal as outlined above.

Adopted by a vote of the Tribal Council on this 15th day of October 2014 of 5 in favor
0 opposed 0 abstain 2 absent.

Attested by:



Amos Philemonoff, Sr.
President



Juliana Hapoff
Secretary